

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing Reply, claims 1-15 are pending in the application, with claims 1 and 8 being the independent claims.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections Under 35 U.S.C. § 102

Claims 1-3, 6-10, 14 and 15 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Lin et al. (US 2004/0105403). (See Office Action at p. 3). Applicant respectfully traverses these rejections because the cited reference fails to disclose, teach, or suggest all of the features of the claimed invention.

For example, Lin fails to disclose, teach, or suggest "organizing the MPEG frames within SMTS data queues in accordance with predetermined parameters" as recited in claim 1. Claim 8 recites a similar feature. This feature is disclosed, for example, in Applicant's specification in paragraphs [0038], [0043], and [0045] and is illustrated in FIG(s). 5 and 7.

By contrast, Lin addresses only modifying the transmission based on "the data from each queue," (Lin paragraph [0112]). Lin fails to disclose, teach, or suggest organizing the data within the queues. More specifically, Lin fails to teach organizing the data within the queues in accordance with predetermined parameters.

If a future Office Action rejects claims 1 and 8, Applicant respectfully requests that the Office Action specifically point out in the cited reference(s) a method or

apparatus that organizes data within data queues in accordance with predetermined parameters.

It is respectfully pointed out that anticipation can only be established by a single prior art reference that discloses each and every element of the claimed invention. RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440 (Fed. Cir. 1984). Therefore, because the cited reference fails to recite each and every element of Applicant's invention, as recited in claims 1 and 8, claims 1 and 8 are not anticipated by the cited references and are therefore allowable.

Claims 2, 3, 6, 7, 9, 10, 14 and 15 respectively depend from independent claims 1 and 8. Therefore, claims 2, 3, 6, 7, 9, 10, 14 and 15 are allowable at least for the same reasons claims 1 and 8 are allowable, and for the specific features recited therein.

Other Matters

Claims 4, 5 and 11-13 stand objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form. Applicant, however, chooses not to rewrite claims 4, 5 and 11-13 in independent form at this time.

Conclusion

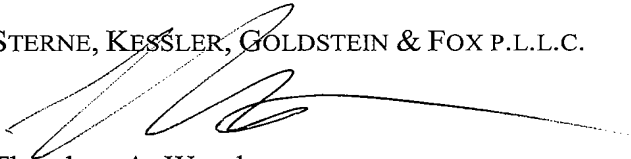
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will

expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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